

R-79-10
BILL NO. 17

RESOLUTION NO. *Withdrawn*

A RESOLUTION of the Common Council setting forth the policy of the City in regard to the annexation of Colony Bay.

WHEREAS, the annexation of territory to the City is a legislative function, and,

WHEREAS, the Common Council is called upon in the preparation of the City budget to provide for the furnishing of municipal services to the entire City including newly annexed areas; and,

WHEREAS, the Common Council desires that newly annexed areas receive the full measure of municipal services; and,

WHEREAS, the Common Council has before it an ordinance for the annexation of the Colony Bay annexation area, more specifically described, to-wit:

Parts of Sections 7, 18 and 19 in Township 30 North, Range 12 East and parts of Sections 13 and 24 in Township 30 North, Range 11 East, more particularly described as follows:

Beginning at the interesection of the north right-of-way line of Covington Road and the east right-of-way line of Getz Road; thence north along the east right-of-way line of Getz Road to the intersection of the south line of the northeast $\frac{1}{4}$ of Section 7, T 30 N, R 12 E; thence east along the east - west centerline of said Section 7 to the southwest corner of Lot 76 Westmoor Extended Addition; thence north along the west line of said Westmoor Extended Addition to the northwest corner of Lot #100; thence east 80 feet along the north line of Lot #100 to the northeast corner of said Lot; thence south 32 feet on a line parallel to the line of said Section 7; thence east on a line parallel to the north line of Section 7 a distance of 358.8 feet to the east line of Section 7; thence north on the east line of Section 7 to the north right-of-way line of Illinois Road; thence west along the north right-of-way line of Illinois Road to its intersection with the east right-of-way line extended north of Getz Road; thence south along said east right-of-way line extended to the south right-of-way line of Illinois Road; thence west along the south right-of-way line of Illinois Road to its intersection with the south right-of-way line of Interstate 69 exit ramp and continuing on this state right-of-way line to the west line of Section 7; thence south on the west line of Section 7, which is also the Aboite - Wayne Township Line, to the south right-of-way line of Covington Road; thence west on the south right-of-way line of Covington Road to the north - south centerline of the northeast $\frac{1}{4}$, Section 13, T 30 N, R 11 E; thence south along said north - south centerline of Section 13 to the intersection of the centerline of the Moorman Drain; thence south following the centerline of the Moorman Drain and continuing south along the centerline of the Graham - McCullough #1 Drain to the southwest corner of Lot #8 Hazelhurst 2nd Addition Extended; thence east along the south line of said Lot #8 to the intersection of the extension northerly of the west line of Lot #9 Hazelhurst 2nd Addition Extended; thence southerly along the west line of said Lot #9 to the southwest corner of said Lot #9; thence east along the south line of Lots #9 thru #14 of said Hazelhurst 2nd Addition Extended to the southeast corner of Lot #14; thence south along the west line extended of Lots #25 and #24 Hazelhurst Extended Addition to the south right-of-way line of Garland Avenue; thence easterly along the south right-of-way line of Garland Avenue and Taylor Street to the extension south of the east line of Country Club Gardens Addition; thence north along the east line of Country Club Gardens Addition to the southwest corner of Lot #7 Langford Oaks Addition; thence east along the south line of said Langford Oaks Addition to the southeast corner of Lot #8; thence north along the east line of Lots #8

and #9 to the southwest corner of Lot #19; thence east along the south line of Lots #19 and #20 to the west right-of-way line of Fountain Avenue; thence south along the west right-of-way extended to the intersection of the south right-of-way line of Glendale Drive; thence easterly along the south right-of-way line of Glendale Drive Extended to the east right-of-way line of Smith Road; thence north along the east right-of-way line of Smith Road to the intersection of the south line extended east of Rousseaus Country Club Addition; thence west along the south line of Rousseaus Country Club Addition and continuing along the south line of the Fort Wayne Country Club to the southeast corner of Lot #211 of Country Club View Addition; thence north along the east line of said Lot #211 and continuing north along the east right-of-way line of Fairway Drive to the south right-of-way line of South Bend Drive; thence northeasterly along the south right-of-way line of South Bend Drive to the south right-of-way line of Covington Road; thence west along south right-of-way line of Covington Road to the intersection of the north right-of-way line of Upper Huntington Road (U.S. #24); thence northerly along the north right-of-way line of Upper Huntington Road to the intersection of the north right-of-way line Covington Road; thence west along the north right-of-way line of Covington Road to the east right-of-way line of Getz Road, the point of beginning. An area of 1005.5 acres more or less.

With the exception of the following described territory:

A part of the Northeast Quarter of Section 7, T 30 N, R 12 E, Allen County, Indiana, described as follows, to-wit:

Commencing on the south line of said Quarter Section at a point situated 40.0 feet east of the southwest corner thereof; thence easterly along the south line of the northeast quarter a distance of 2158.79 feet; thence northerly, by an interior angle of $88^{\circ} 56'$, a distance of 1187.2 feet; thence westerly, by an interior angle of $91^{\circ} 56'$, a distance of 757.2 feet; thence southerly by an interior angle of $88^{\circ} 04'$, a distance of 40.5 feet; thence westerly on a line parallel to the south line of said Quarter Section, a distance of 330 feet to the east line of Pavey's Subdivision to Fort Wayne, being a Subdivision of part of the west half of the northeast quarter of Section 7, T 30 N, R 12 E, Allen County, Indiana; thence southerly along the east line of said Pavey's Subdivision, a distance of 195.5 feet to the northeast corner of Lot #15 of said Pavey's Subdivision, said point also being the northeast corner of Lot #14 of Breconshire, Section 1, being a Subdivision of part of the west half of the northeast quarter of Section 7, T 30 N, R 12 E, Allen County, Indiana, appearing in Plat Record Book 43 Page 43 in the Office of the Recorder of Allen County, Indiana; thence westerly on and along the north line of Lot #15 of said Pavey's Subdivision, also being the north line of said plat of Breconshire, Section 1, a distance of 1077.2 feet to a point 40.0 feet east of the west line of said Quarter Section, said point being on the east right-of-way line of Getz Road; thence southerly on and along the east right-of-way of Getz Road, a distance of 391.3 feet to the southwest corner of Lot #16 of said Pavey's Subdivision, said point also being the southwest corner of Lot #30 of said plat of Breconshire, Section 1; thence easterly on and along the south line of said Lot #16 of Pavey's Subdivision, also being the south line of said plat of Breconshire, Section 1, a distance of 1075.3 feet to the southeast corner of Lot #16 of said Pavey's Subdivision, said point also being the southeast corner of Lot #17 of said plat of Breconshire, Section 1; thence southerly along the east line of Lot #17 of said Pavey's Subdivision a distance of 195.8 feet to the southeast corner of said Lot #17; thence westerly along the south line of said Lot #17, a distance of 844.2 feet to a point; thence southerly by an interior angle of $91^{\circ} 13'$, a distance of 162.75 feet; thence westerly on a line parallel to the south line of said Quarter Section, a distance of 227.6 feet to a point situated 40.0 feet east of the west line of said Quarter Section, said point being on the east right-of-way line of Getz Road; thence southerly on and along the east right-of-way of Getz Road a distance of 212.75 feet to the point of beginning; containing 47.56 acres more or less.

1 BE IT THEREFORE, RESOLVED BY THE COMMON COUNCIL OF THE CITY
2 OF FORT WAYNE, INDIANA:

3 1. That in the case of the Colony Bay annexation, it is the
4 policy of the City of Fort Wayne to follow the provisions of
5 Common Council Resolution No. R-56-79 with regard to the provision
6 of non-capital and capital services to the annexation area.

7 2. That it is the policy of the City to follow the annexation
8 fiscal plan for said described territory as prepared by the Depart-
9 ment of Community Development and Planning.

10 3. That said plan sets forth cost estimates of the services
11 to be provided, the methods of financing these services, delineates
12 the non-capital improvement services to be provided within one (1)
13 year of annexation, the capital improvement services to be pro-
14 vided within three (3) years of annexation, and the plan for hiring
15 employees of other governmental entities whose jobs will be
16 eliminated by this annexation.

17 4. Said plan is hereby approved and adopted by the Common
18 Council and shall be in force upon the effective date of the Colony
19 Bay annexation ordinance.

20 THE CITY OF FORT WAYNE

21 William T. Longa
22 Councilperson
23

24 Approved as to
25 form and legality

26 W. J. [Signature]
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Read the first time in full and on motion by _____, seconded by

V. Belmont, and duly adopted, read the second time by title and referred to the

Committee on Annexation (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____ at _____ o'clock _____ M., E.S.T.

DATE: 12-11-79.

Charles W. Masterson
CITY CLERK

Read the third time in full and on motion by _____, seconded by

Geo Quetta, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: 1-14-81

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____.
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

BILL NO. R-79-12-17

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON Annexation TO WHOM WAS REFERRED AN
ORDINANCE A RESOLUTION of the Common Council setting forth the
policy of the City in regard to the annexation of Colony Bay

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE ~~WITHDRAWN~~ PASS.

BEN A. EISBART, CHAIRMAN

DONALD J. SCHMIDT, VICE CHAIRMAN

VIVIAN G. SCHMIDT

SAMUEL J. TALARICO

MARK E. GIAQUINTA

4481
CONCURRENCE
DATE CHARLES W. WESTERMAN, CITY CLERK

4; 1

DIGEST SHEET

Admn. Appr. _____

19-79-12-17
~~19-79-12-17~~

TITLE OF ORDINANCE Annexation Resolution for Colony Bay

DEPARTMENT REQUESTING ORDINANCE CD&P

SYNOPSIS OF ORDINANCE Resolution specifically links City General Annexation
Resolution R-56-79 to the Colony Bay Area annexation ordinance.

EFFECT OF PASSAGE City is more sure of meeting State annexation law
(I.C. 18-5-10-25) requirements.

EFFECT OF NON-PASSAGE City is less sure of meeting the requirements of
(I.C. 18-5-10-25).

MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be explained by Fiscal
Plan to be prepared by CD&P.

ASSIGNED TO COMMITTEE (J.N.) _____